IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 7017 OF 2004

Smt.Deepa D. Shahani & ors. .. Petitioners

versus

Smt.Ratan S. Sadarangani .. Respondent

...

Mr.Tungare for the petitioner.

CORAM : D.G. KARNIK, J

DATED : 30th August 2004

P.C:-

1. Heard the learned counsel for the petitioner.

2. The learned counsel for the petitioner states that the application for determination standard rent filed by the petitioner was dismissed in September 1990 on account of inability of the petitioner to attend the Court on account of illness. Assuming so, no application for restoration of the standard rent application was filed. From September 1990 to the year 2001, rent was neither paid by the petitioner nor

deposited in the Court.

3. In the circumstances, the decree passed by the appellate Court under section 12(3)(b) of the Bombay Rents Hotel & Lodging Houses Rates Control Act, 1947, cannot be said to be perverse.

Petition rejected.

4. At the request of the learned counsel for the petitioner, the execution of the decree is stayed for a period of four weeks.

D.G. KARNIK, J